



Minutes

**REGULAR CALLED MEETING OF THE
COMMUNITY DEVELOPMENT (Type B) CORPORATION
Tuesday, September 9, 2014 at 6:30 PM
Cedar Park City Hall Council Chambers
450 Cypress Creek Road, Building Four, Cedar Park, Texas 78613**

BOARD OF DIRECTORS

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|---|---|
| <input checked="" type="checkbox"/> Kaden Norton, Place 1
<input checked="" type="checkbox"/> Vice President Brian Rice, Place 5
<input checked="" type="checkbox"/> Secretary Dustin Weibel, Place 3 | <input type="checkbox"/> President David Burger, Place 2
<input type="checkbox"/> Vacant, Place 4
<input checked="" type="checkbox"/> Ryan Wood, Place 6
<input checked="" type="checkbox"/> Brad Young, Place 7 |
|---|---|

- A.1 CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
 Vice President Brian Rice declared the meeting open at 6:30 PM noting that a quorum was present.
- A.2 Consider Approval of the Minutes.**
 a) August 20, 2014 Special Called Meeting.
Director Norton moved to approve the minutes of the August 20, 2014 Special Called Board meeting. Director Weibel seconded the motion and it passed with a 4-0 vote. Director Wood Abstained.
- A.3 Citizen Communications**
(Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With 4B. The Board May Respond With Factual Information.)
None.
- A.4 Board Members' Opening Comments**
Director Wood said the new Faubion Elementary sign looks great and commented on how glad he is to see another pole sign removed.
- A.5 Presentations (None)**
- B.0 STAFF REPORTS (DISCUSSION ONLY)**
- B.1 Finance Report – Aaron Rector, Assistant Finance Director**
 a) Monthly Report On FY 2013-2014 Revenues, Expenditures, And Fund Balance.
A written monthly finance report was provided to the Board as part of the meeting packet. The Board had no further questions.

C.0 PUBLIC HEARINGS (NONE)

D.0 DISCUSSION AND POSSIBLE ACTION

D.1 Consideration Of Service On A Bell Boulevard Redevelopment Sub-Committee.

Director of Community Affairs, Katherine Woerner, gave the Board a brief update on the Bell Boulevard Redevelopment Study. She told the Board that the project went to City Council at their last meeting and was approved. She explained that City Council appointed two representatives, Lyle Grimes and Corbin Van Arsdale, for the project subcommittee and asked if there were any people from 4B interested in serving on this subcommittee. Directors Wood, Norton and Weibel all indicated an interest in serving on the subcommittee. Appointments to the subcommittee will be finalized in the future.

D.2 Consider A Resolution Approving And Authorizing The Board President To Sign An Amended Economic Development Incentive Agreement For Fallbrook Technologies And Recommending That The City Council Approve And Authorize The Mayor To Execute An Amended Economic Development Incentive Agreement For Fallbrook Technologies.

Phil Brewer, Director of Economic Development, reminded the board that the initial incentive agreement was approved in May 2011. He explained that the amendment before them is a result anticipated hiring plan changes for Fallbrook Technologies. The company now plans to hire more employees over a longer period of time than what was in the initial agreement. The proposed changes are as follows:

- **Performance Requirement #3- employment threshold reduced from 100 jobs to 80 jobs, but the annual payroll requirement of \$7.9 Million remains unchanged.**
- **Performance Requirement #4- timeframe for Fallbrook to have 125 employees has been increased from October 2013 to October 2016.**
- **Performance Requirement #5- Amended to state that Fallbrook technology shall have no less than 150 employees by October 2019.**
- **Performance Requirement #6- The date of real estate development incentive has been changed from May 2014 to between Jan 2016 and December 2019. Payment has been modified from \$250,000 to the lesser of either a) \$400,000 or b) 10% of the capital they expended on the purchase and improvement of the real property.**

Director Wood asked what goals have been met to date. Staff explained that goals 1, 2, and 3 have been met to date.

Director Young asked Fallbrook Representative, Al Kammerer, about their experience working with the City thus far. Mr. Kammerer said everything has been going well and they have been happy to work with the City.

Director Wood asked if the new amended agreement fits with the City's Economic Development goals. Staff said the new agreement does fit well with the Economic Development Department's goals.

Director Wood moved to approve the amended agreement as provided. Director Young seconded the motion and it passed with a 5-0 vote.

D.3 Consider A Report From Engineering Regarding Processes And Procedures Related To Implementation Of Community Development Projects.

Darwin Marchell, Director of Engineering, gave a presentation outlining the process through which an engineering project typically goes from its initial conception through completion. He explained the steps related to the design process and the timeframe for each of those steps. He then explained the Pre-construction steps and the time frames associated with those steps. And finally he explained that after design and Pre-construction are completed the project moves into the actual construction phase of the project. The actual construction timeframe can vary widely from 2 months up to 2 years depending on the scope of the project.

Director Young asked if there are ways to write in penalty clauses that can penalize a contractor for not finishing a project in a timely manner. Staff explained that many agreements contain liquidated asset clauses that will penalize a contractor if he/she does not complete the project in a timely manner. Staff explained though that there is a delicate balance that must be struck when using these causes because if a contractor thinks they can't complete the project in the time frame the city lays out, they will submit a higher bid to offset the penalties they predict they will incur. The City therefore usually includes smaller penalties for missed deadlines in their agreements.

Director Weibel asked if there are any time-sensitive projects on the horizon for the Board. Darwin Marchell said there were no extremely time-sensitive projects on the horizon.

Director Weibel asked if the process illustrated by staff is standard for the industry. Staff indicated that the process is standard for the industry.

D.4 Consider A Revised Process For Tabulation Of Ratings Related To The Application And Evaluation Of Proposed Projects And The 4B Project Matrix.

Kimberly Painter, Budget and Grants Coordinator, showed the board an electronic version of the Board's project matrixes. These electronic matrixes allow for computerized averaging of the rankings given by each board member, thus increasing the accuracy and efficiency of scoring projects. The Board indicated that they liked the new electronic matrices and would like to move forward with using them for future project evaluations. The Board indicated that they would like the matrixes to be amended to include a column for staff scoring of the projects.

D.5 Consider Excuse Of Absences

a) Ryan Wood From The August 20, 2014 Special Called Board Meeting.

Director Wiebel move to excuse the absence of Ryan Wood from the August 20,2014 special called board meeting. Director Norton seconded the motion and it passed with a 4-0 vote. Director Wood abstained.

E.1 LIAISON UPDATES / REPORTS – DISCUSSION ONLY

F.1 ADMINISTRATIVE ITEMS

(Board members and staff may discuss items related to the board member's general duties and responsibilities. The Board may not take a vote or other action on any item other than to obtain a consensus regarding how items are to be placed on future agendas for formal action.)

a) Delegate Report on Council Actions Directly Related to Items Of August 28, 2014, City Council Meeting.

Delegates indicated that the only item that required an update was the Bell Blvd. Redevelopment Project which was discussed earlier in the meeting.

b) Director And Staff Comments

Staff reminded the Board that they can expect project to start coming back for approval at the next meeting.

c) Board Member Closing Comments

Director Wood said he was impressed with how easy the budget process was this year. Director Rice said that he enjoyed the Splash Jam event. Director Young asked when the vacant position might be filled. Staff said they did not have information about future appointments to the Board at this time

d) Board Member Request For Future Agenda Items

Director Rice reiterated that he wants an item related to reevaluating sign design standards and would like staff to come with a recommendation.

e) Designate Representatives To Attend Council Meetings On September 25, 2014.

Director Norton indicated he could attend. Vice President Rice indicated that he might attend as well.

Next Regular Scheduled Board Meeting Tuesday, October 14, 2014 At 6:30 P.M. In The Cedar Park Council Chambers At 450 Cypress Creek Road, Building Four.

G.1 ADJOURNMENT

The meeting adjourned at 7:25 PM.

PASSED AND APPROVED THIS THE 14th DAY OF OCTOBER, 2014.


David Burger, President

ATTEST:


Dustin Weibel, Secretary